Otis & Kennedy, LLC

P.O. Box 1575 Montpelier, Vermont 05601-1575

Office at 39 Court Street

Anthony Otis, Attorney (ret.) Theo Kennedy, Attorney

theo.kennedy@otisandkennedy.com (802) 229-5200 Fax: (802) 229-5930

Materials for Testimony in House Committee on Government Operations on 2/7/19

Related Vermont Statutes:

https://legislature.vermont.gov/Documents/2016/Docs/ACTS/ACT173/ACT173%20As% 20Enacted.pdf

Proposed Language:

"The board of pharmacy shall adopt regulations governing a pharmacist's authority to prescribe drugs and devices. The regulations for pharmacist prescribing shall include the circumstances under which a pharmacist may prescribe an indicated drug or device."

"A workgroup of interested stakeholders shall be convened under the auspices of the Office of Professional Regulation in June of 2019 and OPR shall report back to the legislative committees of jurisdiction its recommendations for proposed statutory language to guide the rulemaking process governing a pharmacist's authority to prescribe drugs and devices by December 15, 2019; such rulemaking shall commence in June of 2020."

... and @ 26 V.S.A. Sec. 2022 (15)

- (B) "Practice of clinical pharmacy" or "clinical pharmacy" means:
- (ii) providing patient care services within the pharmacist's authorized scope of practice, including medication therapy management, comprehensive medication review, <u>prescribing of drugs and devices</u>, and post-diagnostic disease state management services; or

The VT rules:

https://www.sec.state.vt.us/media/702345/5-RX-Rules-2015-Final-Adopted-August-24-2015.pdf

The Idaho Rule:

https://bop.idaho.gov/code_rules/2018_12_12_Final-BOP-Protocol-Packet.pdf